

TTAB

MERCHANTS | COUNSEL

October 7, 2013

James Hastings
Principal
203.942.4997

United States Patent and Trademark Office
Trademark Trial and Appeal Board
Commissioner for Trademarks
PO Box 1451
Alexandria, VA 22313-1451

RE: Trademark Opposition: COREHELP
Appl. No. 85/880,919

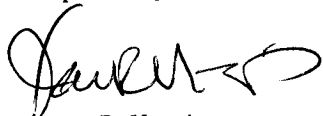
Dear Sir/Madam:

Enclosed please find the following for filing:

1. Notice of Opposition
2. Money Order in the amount of \$300 for the filing fee

Should you have any questions, please feel free to contact me via email at jhastings@merchantscounsel.com.

Respectfully submitted,



James R. Hastings
Attorney for Opposer Philip Fornaciari

Encl.



U.S. Patent and Trademark Office #72

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Application No. 85/880,919
For the Mark: COREHELP

_____)
Philip Fornaciari,)
)
Opposer,)
)
v.)
)
Coretelligent, LLC,)
)
Applicant.)
_____)

Trademark Trial and Appeal Board
Commissioner for Trademarks
PO Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

Opposer, Philip Fornaciari, is a California individual with an address of 2318 4th Street Santa Rosa California 95404 (hereinafter "Opposer"). The above-identified Opposer believes that he will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

The grounds for opposition are as follows:

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1. Opposer is the owner of Application No. 86/022,080 of COREHELP for the following services:

037 Computer installation and repair

042 Computer technology support services, namely, help desk services; consulting services in the field of computer-based information systems for businesses; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems.

2. Since on or about March 2007, Opposer has been offering the above-identified services to the general public under its COREHELP trademark.

3. Opposer offers and advertises its services under the COREHELP mark through, *inter alia*, its website located at www.corehelp.com.

4. Opposer is well-known for his superior quality and services, and has received consumer awards for the services he offers under his COREHELP mark. As a result of his continuous sales, marketing, and promotional efforts under the COREHELP mark, Opposer has cultivated enormous goodwill and name recognition among the relevant consuming public at great cost and expense.

5. On or about March 20, 2013, Applicant filed intent-to-use Application No. 85/880,919 of COREHELP for “computer services, namely, cloud hosting provider services; computer technology support services, namely, help desk services; consulting in the field of information technology” in International Class 42.

6. Opposer’s use of the COREHELP mark is prior to Applicant’s intended use and/or use of the COREHELP mark for the services identified in Applicant’s application.

7. Upon information and belief, Applicant had knowledge of Opposer's prior use of the COREHELP trademark at the time Applicant filed its Application No. 85/880,919 of COREHELP.

8. Upon information and belief, Applicant had knowledge of Opposer's website located at www.corehelp.com at the time Applicant filed its Application No. 85/880,919 of COREHELP.

9. On information and belief, the services identified in Applicant's intent-to-use Application No. 85/880,919 are highly similar to the services Opposer offers under his COREHELP mark, and will be offered through the same and/or similar channels of trade to the same and/or to the same or similar class of purchasers as those of Opposer.

10. Applicant's registration of and/or use of the COREHELP mark in connection with the applied for services is likely to cause confusion, mistake, and/or to deceive the general public as to the origin or sponsorship of Applicant's services offered under its COREHELP mark, and will result in the relevant consuming public believing that the services of Applicant rendered under its COREHELP mark are those of Opposer, and/or are otherwise endorsed or sponsored by Opposer.

11. Opposer will be damaged by Applicant's registration and/or use of the services identified in Application No. 85/880,919, to the detriment of Opposer's exclusive and prior common law rights in and to the COREHELP mark for the identified services in Opposer's Application No. 86/022,080.

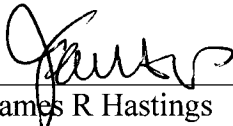
WHEREFORE, Opposer prays that:

- a. judgment in the present opposition be entered in his favor;
- b. the present opposition be sustained;

- c. registration of Appl. No. 85/880,919 be refused; and
- d. any and all other further relief that the Board deem proper

Respectfully Submitted,

By: _____


James R Hastings
Merchants Counsel LLC
724 Danbury Road, Suite 3
Ridgefield, CT 06877
(203) 244-4264 Tel.

Attorney for Opposer, Philip Fornaciari

Dated: October 7, 2013

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing NOTICE OF OPPOSITION was served on via priority mail, postage prepaid, on Applicant, Coretelligent LLC, 75 Second Avenue, Suite 210, Needham, MA 02494, this 7th day of October 2013.